



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,099	07/16/2001	Kenji Kawazoe	1272.C0468	3548

5514 7590 06/07/2002

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

TRAN, LY T

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 06/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/905,099	KAWAZOE ET AL.	
	Examiner	Art Unit	
	Ly T TRAN	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
 Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on _____.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-11 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u> .	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____
---	---

DETAILED ACTION

Claim Objections

1. Claims 1-7 are objected because the scope of the claims are unclear because applicant is attempting to define the print medium in terms of printer structure. Since printers vary in structure and the size the print medium, as currently recited, could be any size thus rendering indefinite what would or would not infringe upon the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. (USPN 5,571,587).

With respect to claims 1-4 and 7, Bishop et al. discloses a print medium comprising:

- A print area on which to print a desired image (Fig. 1: element 10)
- A discard area provided separably in at least a front end portion of the print medium (Fig. 2: element 14, Column 2: line 56-64)
- A discard area provided separably in at least a rear end portion of the print medium (Fig. 1)

- A plurality of print areas and separably discard areas before and after each print area, a discard area in a front end portion of the print medium and a discard area in a rear end portion of print medium are set equal in width, and a discard area in a left end portion of the print medium and a discard area in a right end portion of the print medium are set equal in width (Fig.1 and 2).

3. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. (USPN 5,571,587) in view of Warther et al. (USPN 4,978,146).

Bishop et al. teaches the print medium has a plurality of print areas (Fig1, 2) However, Bishop et al. fails to teach the widths of the discard areas in the front and rear end portions of the print medium are set larger than that of a discard area between the print areas.

Warther et al. teaches the widths of the discard areas in the front and rear end portions of the print medium are set larger than that of a discard area between the print areas (fig.1)

It would have been obvious to one having ordinary skill in the art at the time the invention was made with the widths of the discard areas in the front and rear end portions of the print medium are set larger than that of a discard area between the print areas as taught by Warther et al. The motivation of doing so is in order to make electronic transaction easier.

4. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. (USPN 5,571,587) in view of Chida et al. (USPN 5,667,213)

Bishop et al. discloses a printing apparatus comprising:

- An accommodating portion for accommodating a print medium, the print medium having a print area on which to print an image and a separable discard area in at least one on a front end portion and a rear end portion (Fig1, Column 2: line 56-64).

However, Bishop et al. fails to teach a feeding means for feeding the print medium wherein the print medium fed by the feeding means is transported along the transporting passage so that the printing means can print on the print medium, a discharge means wherein at least one of the transport means and the discharge means transports the print medium along the transporting passage so that the printing means can print on the print medium and wherein after the print medium accommodated in a predetermined accommodating portion has been fed to the transporting passage, at least one of the transport means and the discharge means transport the printing medium along the transporting passage so that the printing means can print on the print medium and a distance from a front end of the accommodating portion to the feeding means is set smaller than a width of the discard area in the front end portion of the print medium.

Chida et al. teaches a feeding means for feeding the print medium wherein the print medium fed by the feeding means is transported along the transporting passage so that the printing means can print on the print medium (Fig. 1: element 13), a discharge

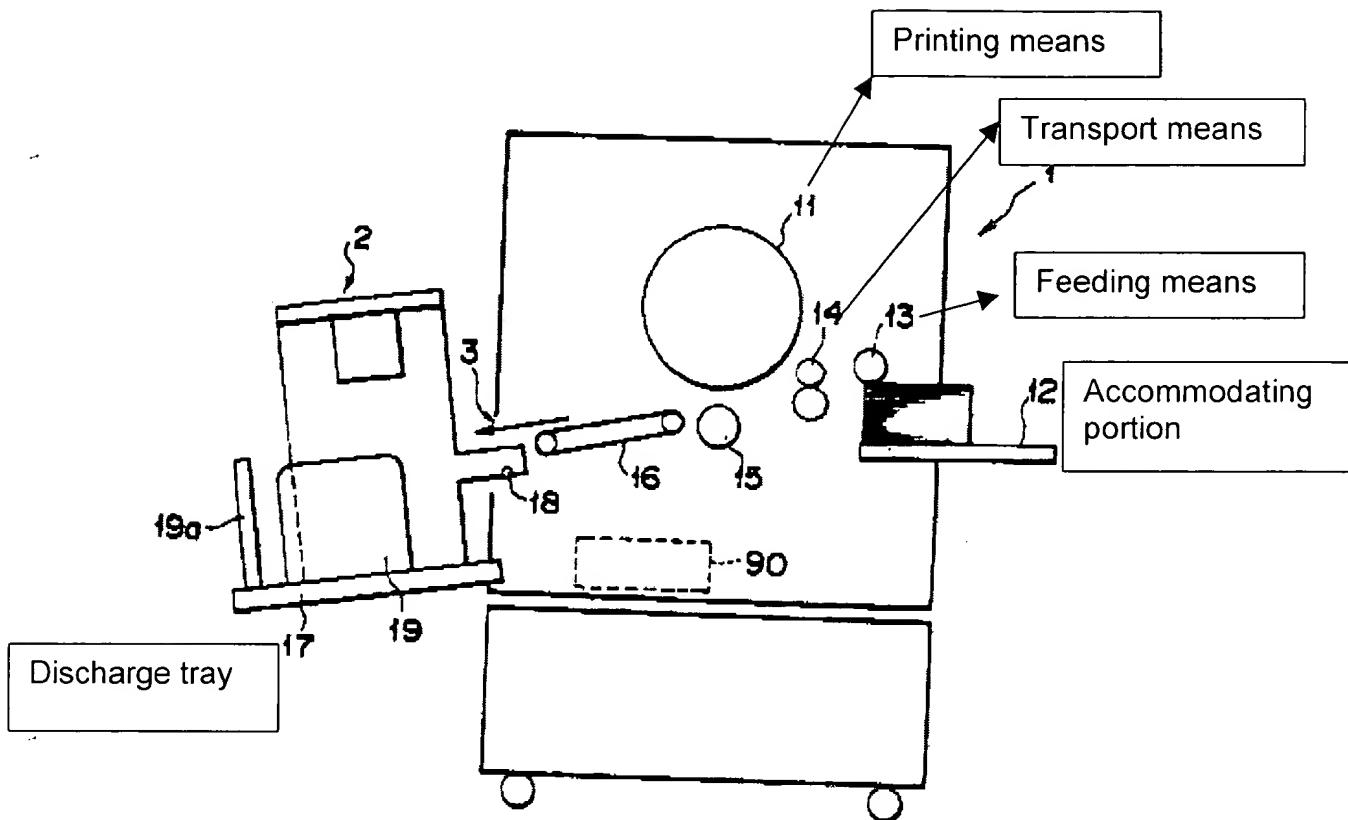
means wherein at least one of the transport means and the discharge means transports the print medium along the transporting passage so that the printing means can print on the print medium and wherein after the print medium accommodated in a predetermined accommodating portion has been fed to the transporting passage (Fig.1: element 3, 17, 21, Column 3: line 41-43, line 44-48, line 52-54, line 61-62), at least one of the transport means and the discharge means transport the printing medium along the transporting passage so that the printing means can print on the print medium (Fig.1: element 14, 15) and a distance from a front end of the accommodating portion to the feeding means is set smaller than a width of the discard area in the front end portion of the print medium (Fig.1: show that the discharge roller 13 is on the top of the end portion of the accommodating portion 12, therefore the distance from a front end portion of the accommodating portion to the feeding means must be smaller than a width of the discard area in the front end portion of the print medium)

It would have been obvious to one having skill in the art to routine experimentation of the accommodating portion has a dimensional setting such that a distance from a most downstream position printed by the printing means to the discharge means is set larger than a width of the print medium, a distance from a most upstream position printed by the printing means to the transport means is set smaller than a width of the discard area provided in the rear end portion of the print medium and a distance from a most downstream position printed by the printing means to the discharge means or a distance from a most upstream position printed by the printing means to the transport means, whichever is a greater distance, is set smaller than a

width of the discard area provided in the front end portion of the print medium and a distance from a most upstream position printed by the printing means to the transport means is set smaller than a width of the discard area provided in the rear end portion of the print medium.

It would have been obvious to one having ordinary skill in the art the time the invention was made with feeding means, a discharge means, wherein after the print medium accommodated in a predetermined accommodating portion has been fed to the transporting passage, at least one of the transport means and the discharge means transport the printing medium along the transporting passage so that the printing means can print on the print medium and a distance from a front end of the accommodating portion to the feeding means is set smaller than a width of the discard area in the front end portion of the print medium as taught by Chida et al. The motivation of doing so is in order to indicate of an abnormal state and improving the printing efficiency of the printing machine.

FIG. 1



Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T TRAN whose telephone number is 703-308-0752. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0967.

lt
June 5, 2002

Thinh Nguyen
Primary Examiner
Technology Center 2800